

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the application of: Roy R. Lobb

Serial No.: 08/256,631

Filed: July 12, 1994

For: Treatment for Asthma

Attorney Docket No.: BGP-021US

Group Art Unit:

Examiner:

U. S. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**TRANSMITTAL LETTER FOR DISKETTE OF SEQUENCE LISTING**

Dear Sir:

In response to the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES dated March 3, 1995, we enclose a diskette which contains a computer readable form of the Sequence Listing for the above-referenced application. The Sequence Listing complies with the requirements of 37 C.F.R. §§1.821 and 1.825. The material on this diskette is identical in substance to the paper copy of the Sequence Listing which is submitted herewith. The computer readable form of the Sequence Listing contained on the enclosed diskette is understood to comply with the requirement of §1.824(d). No new matter has been added.

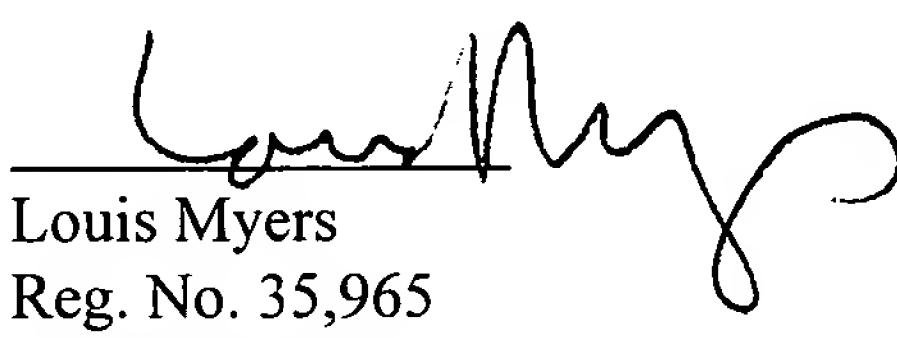
I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks Office, Washington, DC 20231 on:

6 APR 95

Louis Myers, Reg. No. 35965

Respectfully submitted,

LAHIVE & COCKFIELD

  
Louis Myers  
Reg. No. 35,965  
60 State Street  
Boston, MA 02109  
Tel. (617) 227-7400  
Fax (617) 227-5941



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RECEIVED

Attn: Application Processing Division,  
Special Processing & Correspondence Branch

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR  
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Dear Sir:

Responsive to the Notice to File Missing Parts of Application, which included a Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated March 3, 1995, Applicants' attorney submits herewith: Sequence Listing in computer readable form as required by 37 CFR 1.821(e); Sequence Listing as required under 37 CFR 1.821(c); a statement under 37 CFR 1.821(f); Copy of the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; and Preliminary amendment directing entry of the Sequence Listing into the application.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks Office, Washington, DC 20231 on:

*6 Apr 95*

Date

*Louis Myers*  
Louis Myers, Reg. No. 35965

USSN 08/256,631  
Atty Docket: BGP-021US

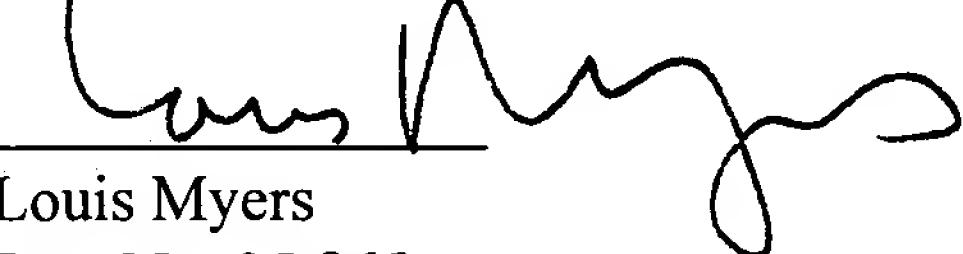
2

The Commissioner is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 12-0080. Applicants do not believe any extension of time is required but if an extension is required, Applicants request such extension, and request any necessary fees be charged to Deposit Account No. 12-0080.

**A duplicate of this letter is enclosed.**

Respectfully submitted,

LAHIVE & COCKFIELD

  
\_\_\_\_\_  
Louis Myers  
Reg. No. 35,965  
60 State Street  
Boston, MA 02109  
Tel. (617) 227-7400  
Fax (617) 227-5941

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).

3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).

7. Other: \_\_\_\_\_

**Applicant must provide:**

An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"

An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification

A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123  
For CRF submission help, call (703) 308-4212  
For PatentIn software help, call (703) 308-6856

Please return a copy of this notice with your response.



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**STATEMENT UNDER 37 C.F.R. §1.821(f)**

Dear Sir:

I hereby state that the content of the computer readable Sequence Listing accompanying this Statement is the same as the content of the Sequence Listing submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks Office, Washington, DC 20231 on:

*6 Apr 95*  
Date

Louis Myers, Reg. No. 35965

Respectfully submitted,

LAHIVE & COCKFIELD

*Louis Myers*

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